THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No. 18266 of 2005

Dated: 19-06-2006

Between:

R. John Moses.

..Petitioner.

and

The Commissioner, Narsapuram Municipality, Narsapuram, West Godavari District and others.

..Respondents.

THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No. 18266 of 2005

ORDER: (Per B. Prakash Rao, J)

Heard both sides and at their request, the main writ petition itself is taken up for disposal.

This writ petition is filed by the petitioner seeking to declare the order dated 10-08-2005 in O.A.No.3582 of 2005 with VMA No.492 of 2002 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad as illegal and arbitrary.

In the said O.A., filed by the 5th respondent herein, the Tribunal passed an interim order dated 25-07-2005 directing the respondents therein to consider the case of the 5th respondent herein for promotion to the post of panel Head Master in accordance with rules and seniority. Challenging the same, the petitioner herein filed vacate stay petition in O.A.No.3582 of 2005 with VMA No. 492 of 2005, in which the Tribunal extended the interim orders for a period of four weeks. Aggrieved by the same, the petitioner filed this writ petition.

However, during the course of arguments, the learned counsel on either side represented that the petitioner and the 5th

respondent have retired from service. Hence, the question of maintaining the interim stay or suspension does not arise.

Accordingly, the Writ Petition is disposed of. It is open for both the parties to raise their respective contentions in the main O.A. and the Tribunal below shall dispose of the same on merits. No order as to costs.

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B. PRAKASH RAO, J

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RAMESH RANGANATHAN,J

Dated: 19-06-2006.

sj